



Contribution by Office of the UN High Commissioner for Human Rights (OHCHR) to the 2026 Rule of Law Report - European Commission

Rule of law and human rights

The ‘rule of law’ is a concept at the heart of the United Nations’ mission. It refers to a principle of governance which is consistent with international human rights standards ([S/2004/616](#)). There is no rule of law within societies if human rights are not protected and human rights cannot be protected in societies without a strong rule of law. This interlinkage is reiterated by the UN Secretary-General in his [New Vision for the Rule of Law](#):

“Human rights and the rule of law are mutually reinforcing – the advancement of the rule of law is essential for the protection of all human rights, and human rights are central to the rule of law.”

Office of the UN High Commissioner for Human Rights (OHCHR)

The Office of the UN High Commissioner for Human Rights (OHCHR), also known as UN Human Rights Office, is the main human rights entity of the UN to protect and promote all human rights for everyone everywhere. The High Commissioner for Human Rights leads OHCHR. He is the principal human rights official of the United Nations.

OHCHR is mandated by the UN General Assembly to promote and protect the enjoyment and full realization, by all people, of all human rights. As part of its mandate, OHCHR works to mainstream human rights to strengthen the rule of law ([Management Plan 2024 - 2027](#)).

Established in 2009, OHCHR Regional Office for Europe (ROE) aims to advance the protection and promotion of human rights in the European Union and its Member States. ROE works to mainstream international human rights standards to strengthen the rule of law in the EU by engaging in and contributing to the European Commission’s Rule of Law Report. ROE furthermore promotes the UN human rights mechanisms and processes by giving their work visibility at the regional level.

OHCHR’s contribution

The current submission consists of a compilation of findings and recommendations contained in reports of UN human rights monitoring mechanisms including treaty-based mechanism (international human rights treaties), and Charter-based mechanism (special procedures and the Universal Periodic Review of the UN Human Rights Council). It further draws on statements and reports by the UN High Commissioner for Human Rights and the High Commissioner’s office (see diagram on the next page).

In line with the scope of the European Commission’s Rule of Law Report, this contribution covers 27 Member States of the European Union and four candidate States, namely, Albania, Montenegro, North Macedonia and Serbia.

UN human rights monitoring mechanisms

The below human rights bodies review the following nine core United Nations human rights treaties:

- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- International Convention on the Elimination of All Forms of Racial Discrimination
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child
- Convention on the Rights of Persons with Disabilities
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- International Convention for the Protection of All Persons from Enforced Disappearance

Treaty-based mechanism

Treaty monitoring bodies

- Committee on the Elimination of Racial Discrimination (CERD)
- Committee on Economic, Social and Cultural Rights (CESRC)
- Human Rights Committee (CCPR)
- Committee on the Elimination of Discrimination against Women (CEDAW)
- Committee Against Torture (CAT)
- Committee on the Rights of the Child (CRC)
- Committee on Migrant Workers (CMW)
- Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT)
- Committee on the Rights of Persons with Disabilities (CRPD)
- Committee on Enforced Disappearances (CED)

UN Charter-based mechanism

UN Human Rights Council

A subsidiary body of the UN General Assembly and the main intergovernmental body in the UN responsible for human rights.

Special Procedures

Independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective.

Universal Periodic Review

State-led mechanism that conducts a peer review of the human rights situation of each UN Member State

Human Rights Council-mandated Investigative Bodies

The Office of the UN High Commissioner for Human Rights (OHCHR) provides expertise and support to all of the different human rights bodies.

Human rights and rule of law (4 pillars of Rule of Law Report)

Pillar 1: Justice System

There is no true respect for the rule of law without a judicial power guaranteeing compliance therewith. Judges guarantee compliance with laws and with it the reality of democratic coexistence. The duty to promote equality among all persons, especially to ensure that everyone has the right to access justice on an equal basis with others, rests with the judiciary. Guaranteeing access to justice is indispensable to democratic governance and the rule of law, as well as to combating inequality and exclusion.

Respecting the rule of law through fostering the separation of powers and the independence of justice ensures protection of human rights. The judiciary is the ultimate guarantors of human rights. However, at the same time, judges, prosecutors and lawyers are subject to attacks and violations of their rights, including threats, intimidation, external interference in conducting their professional activities, arbitrary detention, prosecution, and killings. These attacks threaten the impartiality and independence of the judiciary and the legal profession and in turn, deter their role as guarantors of human rights and the rule of law.

For more info:

- [Basic Principles on the Independence of the Judiciary](#)
- [Human rights in the administration of justice: a manual on human rights for judges, prosecutors and lawyers](#)
- [International principles and guidelines on access to justice for persons with disabilities](#)
- [General Recommendation No. 33 on women's access to justice \(CEDAW/C/GC/33\)](#)
- [Special Rapporteur on the independence of judges and lawyers](#)

Pillar 3: Media Freedom

Free, independent, plural and diverse media are a core component of the right to freedom of expression, a cornerstone of democratic societies and plays an essential role in strengthening the rule of law. Journalists and the media are crucial to ensure transparency and accountability for public and governmental authorities.

For more info:

- [OHCHR and the safety of journalists and the issue of impunity](#)
- [Special Rapporteur on freedom of opinion and expression](#)
- [General comment No.34 on Article 19: Freedoms of opinion and expression \(CCPR/C/GC/34\)](#)

Pillar 2: Anti-corruption

Corruption has a destructive effect on State institutions and it undermines the functioning and legitimacy of institutions and processes, the rule of law and ultimately the State itself. In particular, corruption effects on the capacity of States to respect, protect and fulfil human rights particularly of those persons and groups in situation of vulnerability and marginalization.

Corruption pose a major challenge to many societies as they divert public revenues and cripple public budgets that should provide healthcare, housing, education, and other essential services, they undermine States' ability to meet their minimum core obligations and their pre-existing legal obligations to maximize all available resources to respect, protect and fulfil human rights.

For more info:

- [Corruption and human rights | OHCHR](#)
- [OHCHR Key messages on the negative impact of corruption in the enjoyment of human rights](#)

Pillar 4: Checks and Balances

Civic space is the environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: (1) accessing information; (2) engaging in dialogue; (3) expressing dissent or disagreement, and (4) joining together to express their views. An open and pluralistic civic space that guarantees freedom of expression and opinion as well as freedom of assembly and association, is a prerequisite for making development and peace sustainable.

For more info:

- [OHCHR and protecting and expanding civic space](#)
- [Special Rapporteur on human rights defenders](#)
- [The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#)



Slovakia: Inside the contribution

- **Period of contribution: January – December 2025**
- **Contents of contribution and additional information:**
 - The UN Committee on the Rights of the Child adopted its concluding observations on Slovakia ([CRC/C/SVK/CO/6](#)) on 31 January 2025 at its 98th session and the report was published on 26 February 2025.
 - The special procedures of the UN Human Rights Council sent a communication letter to Slovakia ([SVK 1/2025](#), 5 March 2025) on the alleged serious deterioration of fundamental freedoms and civic space in the Slovak Republic and issued a [press release](#) (10 March 2025). A [response](#) was received (28 April 2025).
 - The special procedures of the UN Human Rights Council sent a communication letter to Slovakia ([SVK 2/2025](#), 1 September 2025) on the draft legislation to amend the Constitution of the Slovak Republic, which was introduced by the Government of the Slovak Republic on 7 March 2025, and passed on first reading by the National Council of the Slovak Republic on 9 April 2025. A [response](#) was received (24 September 2025).
- **Summary of information which could be of particular relevance to the Rule of Law report:**
 - Under pillar 1 on justice system, relevant findings and recommendations (quality of justice) were issued by UN human rights mechanisms.
 - Under pillar 3 on media freedom, relevant findings and recommendations (framework for journalists' protection, transparency and access to document, safeguards against government or political interference and transparency and concentration of media ownership) were issued by UN human rights mechanisms.
 - Under pillar 4 on checks and balance, relevant findings and recommendations (Independent authorities, the enabling framework for civil society, other) were issued by UN human rights mechanisms.
- **Forthcoming relevant information (January – May 2026):**
 - The UN Committee on Economic, Social and Cultural Rights will consider the State Party report from Slovakia during its [79th session](#) (to be confirmed, 9 February – 6 March 2026).
 - The UN Human Rights Committee will consider the State Party report from Slovakia during its [145th session](#) (2 – 19 March 2026).
 - The UN Committee on the Elimination of Racial Discrimination will consider the State Party report from Slovakia in a future session ([date to be confirmed](#)).
 - The UN Committee on Economic, Social and Cultural Rights will consider the State Party report from Slovakia in a future session ([date to be confirmed](#)).
 - The UN Committee on the Rights of Persons with Disabilities will consider the State Party report from Slovakia in a future session ([date to be confirmed](#)).
- **Resources:**
 - Rule of Law in Europe | [OHCHR](#)
 - Country page on [Slovakia](#)
 - [Universal Human Rights Index \(UHRI\)](#) allows you to explore over 230.000 observations and recommendations made by the international human rights protection system (treaty bodies, special procedures and the Universal Periodic Review)

Pillar I: Justice System

There is no true respect for the rule of law without a judicial power guaranteeing compliance therewith. Judges guarantee compliance with laws and with it the reality of democratic coexistence. The duty to promote equality among all persons, especially to ensure that everyone has the right to access justice on an equal basis with others, rests with the judiciary. Guaranteeing access to justice is indispensable to democratic governance and the rule of law, as well as to combating inequality and exclusion.

Respecting the rule of law through fostering the separation of powers and the independence of justice ensures protection of human rights. The judiciary is the ultimate guarantors of human rights. However, at the same time, judges, prosecutors and lawyers are subject to attacks and violations of their rights, including threats, intimidation, external interference in conducting their professional activities, arbitrary detention, prosecution, and killings. These attacks threaten the impartiality and independence of the judiciary and the legal profession and in turn, deter their role as guarantors of human rights and the rule of law.

For more info:

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Quality of justice - accessibility of courts

While noting the efforts made by the State party, including the establishment of the litigation friend position, and the support by the State party for implementing the Optional Protocol to the Convention on a communications procedure and promoting it globally, the UN Committee on the Rights of the Child recommends that the State party:

- (a) Ensure that all children have access to: (i) confidential, child-friendly and independent complaint mechanisms in schools, foster care systems and alternative care settings and in detention for reporting all forms of violence, abuse, discrimination and other violations of their rights; and (ii) legal support and age-appropriate information on access to counselling and remedies, including compensation and rehabilitation;
- (b) Raise awareness among children of their right to file a complaint under the existing mechanisms, and provide access to tools and services to file a complaint, such as access to the Internet or interpretation services;
- (c) Continue to raise awareness about the Optional Protocol to the Convention on a communications procedure, and provide capacity-building activities aimed at training relevant actors, including children and/or child human rights defenders, on the Optional Protocol.
- (d) Ensure systematic and mandatory training for all relevant professionals working with and for children on child-friendly procedures and remedies, children's rights and the Convention. ([CRC/C/SVK/CO/6](#), para. 11)

The UN Committee on the Rights of the Child commends the State party for establishing the new Judicial Map in 2023, and for the new Code of Criminal Procedure which strengthens the position of child victims. Recalling its general comment No. 24 (2019) on children's rights in the child justice system, the Committee recommends that the State party:

- (a) Expeditiously re-establish the posts of specialized judges under the new Judicial Map and ensure that such specialized judges receive appropriate training;
- (b) Continue implementing legislation providing free and specialized legal aid to children alleged as, accused of or recognized as having infringed the criminal law at an early stage of the procedure and throughout the legal proceedings;
- (c) Strengthen the implementation of non-judicial measures, such as diversion and mediation for children alleged as, accused of or recognized as having infringed the criminal law and, wherever possible, use non-custodial sentences for children, such as probation or community service, and ensure that health and psychosocial services are provided to such children for their reintegration;
- (d) Ensure that special procedures for interrogating children are used for all children up to and including the age of 18, with a particular emphasis on their protection and avoiding revictimization. ([CRC/C/SVK/CO/6](#), para. 44)

Pillar III: Media Freedom

Free, independent, plural and diverse media are a core component of the right to freedom of expression, a cornerstone of democratic societies and plays an essential role in strengthening the rule of law. Journalists and the media are crucial to ensure transparency and accountability for public and governmental authorities.

For more info:

- [OHCHR and the safety of journalists and the issue of impunity](#)
- [Special Rapporteur on freedom of opinion and expression](#)
- [General comment No.34 on Article 19: Freedoms of opinion and expression \(CCPR/C/GC/34\)](#)

Framework for journalists' protection, transparency and access to document - Rules and practices guaranteeing journalist's independence and safety

The special procedures of the UN Human Rights Council sent a communication letter ([SVK 1/2025](#)) to Slovakia concerning the alleged serious deterioration of fundamental freedoms and civic space in the Slovak Republic in recent years:

- In June 2024, the Freedom of Information Act was amended, significantly increasing the costs and procedures for obtaining data from public entities.
- Between January and April 2024, there have been several reported smear campaigns by the ruling party against critical journalists, with at least 174 stigmatizing posts on social media. Restrictions were also imposed on press access to official events and spaces, particularly affecting independent media.
- Additionally, amidst parliamentary discussion of a bill to categorize NGOs receiving more than €5,000 annually from abroad as “foreign-supported organisations” and subject them to additional burdens, concerns arose about the risks that such legislation could pose to the autonomy of civil society. Expert analyses warned that such rules, beyond their intended objective of transparency, often conceal discriminatory motivations to silence critical sectors through bureaucratic asphyxiation and public discredit (Council of Europe, 2024).
- Finally, according to the information received, in September 2024, serious concerns arose about the possible acquisition and use of the controversial Pegasus spyware by the Slovak Information Service (SIS), which reportedly moved from testing to full operation that month. The Prime Minister’s categorical denial of the acquisition of the Pegasus system, accompanied by the announcement of future legislation to prevent its use, stands in stark contrast to detailed reports from multiple independent sources on its effective implementation.

The experts expressed that the patterns emerging from multiple sources point to a systematic, comprehensive and increasingly aggressive strategy to silence diverse and dissenting voices. [...] Far from isolated incidents, the actions and omissions suggested by the information received appear to respond to political decisions taken at the highest levels through a combination of legislative, executive, judicial and coercive measures. This accumulation of regressive trends represents a challenge to Slovakia's commitment to its international obligations to respect and guarantee human rights.

The discrepancy between reports from independent sources and the Prime Minister’s denial of the acquisition of the Pegasus system, aggravated by the absence of a chairperson in the parliamentary committee overseeing the Slovak Information Service (SIS) since June 2024, raises serious questions about the transparency and effectiveness of the mechanisms for controlling intelligence activities. The acquisition of this type of surveillance technology would raise serious concerns about possible privacy violations and its potential misuse against journalists and political opponents.

Safeguards against government or political interference and transparency and concentration of media ownership - Safeguards against state / political interference

The special procedures of the UN Human Rights Council sent a communication letter ([SVK 1/2025](#)) to Slovakia concerning the alleged serious deterioration of fundamental freedoms and civic space in the Slovak Republic in recent years:

- That month, the Executive also presented plans to dismantle the public broadcaster (Radio and Television of Slovakia (RTVS)) and replace it with an entity under direct political control, prompting condemnations from the independent press and the first general strike in the sector. The new entity's director general would be appointed by a Council formed by members appointed by ministers and the ruling party-controlled parliament.

The experts expressed that the reform of the public broadcaster seems to gravely affect its independence and freedom from political interference are also a concerning development in terms of media freedom. The experts are also concerned about the reforms in the Access to Information Act that reportedly hinder access to information from public institutions, and they note that access to information, especially that of public interest, is a key component of the right to freedom of expression protected under international law, including article 19 ICCPR.

Pillar IV: Checks and Balances

Civic space is the environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: (1) accessing information; (2) engaging in dialogue; (3) expressing dissent or disagreement, and (4) joining together to express their views. An open and pluralistic civic space that guarantees freedom of expression and opinion as well as freedom of assembly and association, is a prerequisite for making development and peace sustainable.

For more info:

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Independent authorities - Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of equality bodies if different from NHRIs and of supreme audit institutions

The UN Committee on the Rights of the Child recommends that the State party:

- (a) Strengthen the independence of the Commissioner for Children, and provide the Commissioner with unrestricted access to children deprived of liberty without needing to obtain prior authorization from the Prosecutor's Office;
- (b) Ensure adequate and long-term funding for the Slovak National Centre for Human Rights and the Public Defender of Rights and establish a system for monitoring the implementation of measures proposed by these institutions. ([CRC/C/SVK/CO/6](#), para. 12)

The enabling framework for civil society - smear campaigns, intimidation and threats against civil society organisations and human rights defenders

The special procedures of the UN Human Rights Council sent a communication letter ([SVK 1/2025](#)) to Slovakia concerning the alleged serious deterioration of fundamental freedoms and civic space in the Slovak Republic in recent years:

- On 29 October 2023, the Direction-Social Democracy party won the parliamentary elections on a platform critical of the role of non-governmental organisations (NGOs). Upon assuming office for the fourth time, the Prime Minister announced plans to label civil society entities receiving international funding as 'foreign agents'.
- In June 2024, the Freedom of Information Act was amended, significantly increasing the costs and procedures for obtaining data from public entities.
- Additionally, amidst parliamentary discussion of a bill to categorize NGOs receiving more than €5,000 annually from abroad as "foreign-supported organisations" and subject them to additional burdens, concerns arose about the risks that such legislation could pose to the autonomy of civil society. Expert analyses warned that such rules, beyond their intended objective of transparency, often conceal discriminatory motivations to silence critical sectors through bureaucratic asphyxiation and public discredit (Council of Europe, 2024).
- According to information received, in January 2025, the Ministry of the Interior publicly suggested that the SIS was monitoring non-governmental organizations, stating that the report on an alleged coup attempt was based on documentary evidence and monitoring of telephone calls

The experts expressed that, the moves to impose stigmatizing labels on NGOs receiving international funding such as "foreign agents", subject them to disproportionate administrative burdens, and threaten to dissolve them for failure to fulfil ancillary obligations appear to constitute undue interference with their autonomous functioning and might further obstruct and stigmatize the legitimate work of human rights defenders, artists and cultural workers, activists and civil society organizations in the country. The broad scope of the label of "foreign agent" could suggest that certain activists or associations are under foreign control, disregarding and undermining the efforts for the promotion and protection of human rights, the rule of law, and human development for the benefit of Slovak society and democratic institutions, resulting in a particularly acute chilling effect of such a designation of human rights defenders, activists and civil society organizations.

If the monitoring of non-governmental organizations is confirmed in investigations into an alleged coup attempt, it would be consistent with a deliberate and systematic official policy of harassing organized civil society and closing spaces for legitimate dissent. It is particularly worrying that these actions were initiated even before the eventual approval of the proposed regulations, which seems to indicate an intention to send a dissuasive message regarding the continuation of the monitoring and advocacy work of NGOs. Also alarming is the apparent lack of action by the competent bodies to prevent and sanction this selective persecution, which could indicate a certain tolerance or even coordination of these abuses by state authorities. The combination of legal, administrative, financial and factual pressures aimed at restricting the autonomy of critical organizations is manifestly incompatible with freedom of association (A/HRC/56/50, pars. 22, 25, 32).

A response was received from the Government of Slovakia.

The enabling framework for civil society - Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders

The special procedures of the UN Human Rights Council sent a communication letter (SVK 1/2025) to Slovakia concerning the alleged serious deterioration of fundamental freedoms and civic space in the Slovak Republic in recent years:

- Following an assassination attempt on the Prime Minister on 15 May 2024, the Government swiftly approved a package of security measures, known as the "Lex assassination", that include severe restrictions on the right to peaceful assembly, which was passed by the Slovak Parliament on 27 June 2024. Analyses of the adopted law identify as problematic and far from international standards the provisions that prohibit demonstrations within a 50-metre radius around key state buildings, allow local authorities to deny permits for protests near the residences of certain officials, and empower them to object to gatherings where they subjectively perceive a risk of disturbing public order. Places traditionally used for civic expression, such as the squares in front of the National Assembly, are now off-limits to demonstrations.
- According to reports, during the period between November 2023 and January 2024, prior to the approval of the so-called "Lex assassination", State intelligence services reportedly selectively intercepted private communications between civil society activists who were coordinating ideas for a campaign of peaceful protests.
- On 24 January 2025, the largest mobilisation in the country's history took place in Bratislava, with 60,000 participants, demanding, among other things, the resignation of the Prime Minister and the reaffirmation of the country's European identity. Meanwhile, accusations have been made by senior government officials reportedly based on intelligence information proving a conspiracy to overthrow the Prime Minister. However, the only information published by the Government on this subject are emails from a group of activists discussing ways to generate peaceful protests.

The expert expressed that a preliminary examination of the provisions introduced by the “Lex assassination” to restrict freedom of peaceful assembly reveals several incompatibilities with the ICCPR, the European Convention on Human Rights and the principles developed in general comment No. 37 of the Human Rights Committee and the OSCE/ODIHR Guidelines. The proposed changes to the regulatory framework for civil society organizations also raise alarm in light of the principles safeguarding freedom of association.

A response was received from the Government of Slovakia.

Other - Legal uncertainty around international legal hierarchy

The special procedures of the UN Human Rights Council sent a communication letter (SVK 2/2025) to Slovakia:

- In article 1, point 1, the draft constitutional law would add the two following paragraphs to article 7 of the constitution: “(6) The Slovak Republic retains sovereignty primarily in matters of national identity, consisting in particular of fundamental cultural-ethical issues relating to the protection of life and human dignity, private and family life, marriage, parenthood and the family, public morality, personal status, culture and language, as well as decision-making on related matters in the areas of health, science, education, upbringing, personal status and inheritance. “(7) Nothing in this Constitution or in any constitutional laws shall be construed as consent to the transfer of the exercise of any part of the rights of the Slovak Republic in matters constituting its national identity.”

The experts expressed that, on the surface, these provisions appear to contradict the very constitutional provisions they seek to amend, including article 1, which affirms the rule of law over any specific ideology (“The Slovak Republic is a sovereign, democratic state governed by the rule of law. It is not bound to any ideology or religion.”), as well as article 2, which establishes the supremacy of international legal obligations over the national legal framework (“The Slovak Republic acknowledges and adheres to general rules of international law, international treaties by which it is bound, and its other international obligations.”).

The proposed limitation of the constitutional recognition of the supremacy of international law over domestic law risks being in conflict with article 27 of the Vienna Convention on the Law of Treaties, which provides: “A party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.”

Human rights-related legislation should aim to expand protections in line with international law, rather than restrict them. Lawmakers should refrain from limiting the rights of those who may not share their views, including differing understandings of national identity. References to the protection of “Slovak culture” must not serve as a pretext for denying the equal enjoyment of human rights and fundamental freedoms by persons with different cultural values, political opinions or identities.

A response was received from the Government of Slovakia.